

REMARKS

An Office Action was mailed on March 11, 2004. Claims 1-8 are pending.

CHANGE OF ATTORNEY DOCKET NUMBER

Applicant is submitting herewith a Change of Attorney Docket Number form. All future correspondence in this matter should be directed to attorney docket number 3346/ASSIA (056730-00056), and it is respectfully requested that the Examiner update such information in the PALM system.

DRAWINGS

The Examiner objected to the drawings because FIGS. 1A-1C should be designated with -- PRIOR ART -- labels, and because Boxes 40, 50 and 60 should be labeled with descriptive legends as suggested by the Examiner. Responsive thereto, Applicant has amended the drawings to comply with the Examiner's requests and submits herewith replacement drawing sheets including FIGS. 1A - 2.

OBJECTION TO THE SPECIFICATION

The specification is objected to because of certain informalities that have been addressed in accordance with the Examiner's suggestions and/or to overcome the Examiner's objections. The amendments to the specification are believed to be self-evident and, accordingly, it is respectfully requested that the Examiner withdraw the objection to the specification.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-8 are rejected under 35 U.S.C. §102(b) as being anticipated by Rodi (U.S. Patent 5,806,430). Responsive thereto, Applicant has amended the claims to clearly distinguish over the Rodi '430 reference. Such amendments are amply supported by the originally-filed specification (see pages 4-10) and by the originally-filed claims (see original claim 2 for the additions to amended claim 1, and see the deletions from claim 6 for the support for new claim 9).

Applicant has also amended the claims in a manner that is consistent with and substantially identical to the priority application, EP 1 237 723 B1 (copy enclosed), for which an indication of Grant has been received, and which was allowed over EP 0 770 480, which is the European equivalent of the Rodi '430 reference. Applicant is also enclosing herewith the communication filed with the EPO that resulted in the allowance of EP 1 237 723. While the Applicant appreciates that the allowance of the priority EP application is not *per se* dispositive of the patentability of the identical claims in the U.S., the arguments presented against the Rodi EP reference are believed to clearly distinguish the present claims (as amended) from the teachings of the Rodi '430 reference.

In particular, Rodi '430 discloses a system in which the modification treatment of the image data occurs upstream of the raster image processor. In contrast, the present invention as currently claimed, receives the image data and determines distortion parameters to be applied to the imaging device so as to produce a distorted image on the printing element thereby ensuring correct registration. As such, Rodi '430 fails to teach or reasonably suggest that the registration correction is performed on the incoming image data before transforming into machine dependent data format, i.e., that modification treatment of the image data occurs downstream of the raster image processor.

Thus, Applicant respectfully submits that the claims as amended are not taught or reasonably suggested by the cited art. The Manual For Patenting Examining Procedure (MPEP) § 2131 clearly sets forth the standard for rejecting a claim under 35 U.S.C. § 102(b). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (MPEP § 2131, quoting Verdegaal Bros. v. Union Oil Co. of California 2 USPQ2d 1051, 1053 (Fed Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ...claim." (MPEP § 2131, quoting Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). "The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e. identity of terminology is not required." (MPEP § 2131, citing In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990)).

In this case, Rodi '430 fails to teach the claimed invention as required by the MPEP. Specifically, Rodi '430 fails to teach or reasonably suggest a system for elimination of printing registration errors, comprising a processor for computing distortion parameters and an imaging system in communication with said processor and configured for exposing distorted images, wherein the processor is programmed for receiving input data including paper data, at least one machine parameter and ink distribution data, the processor calculating image dependent errors from said input data; receiving at least one fixed error map dependent on machine parameters and obtained during a calibration run; predicting registration errors based on the fixed error map and said image dependent errors; and computing distortion parameters based on said registration errors for creating distorted images, as claimed, along with the method for eliminating printing registration errors as claimed.

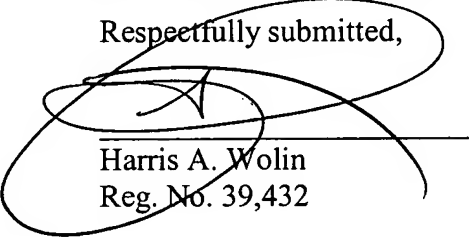
Accordingly, it is respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. § 102(b).

For the foregoing reasons, reconsideration is respectfully requested.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1-9, consisting of independent claims 1 and 6 and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,


Harris A. Wolin
Reg. No. 39,432

CUSTOMER NUMBER 026304
PHONE: (212) 940-8708
FAX: (212) 894-5708 (direct)
DOCKET NO.: **3346/ASSIA (056730-00056)**